

Joint Multi-council Subcommittee Evaluating Fish and Wildlife Violations/Fines

Minutes of October 22, 2019 Meeting, held in the Fish & Wildlife Conference Room, 89 Kings Highway, Dover, DE 19901

Subcommittee Members and Division of Fish & Wildlife Staff:

Brian Hoeffcker, Advisory Council on Tidal Finfisheries, Acting Chair

Lou Papp, Advisory Council on Tidal Finfisheries – Volunteer assigned by Chair to assist committee

Nathan Hudson, Advisory Council on Wildlife & Freshwater Fish

Chief Drew Aydelotte, Delaware Division of Fish & Wildlife, Enforcement Section

John Clark, Delaware Division of Fish & Wildlife, Fisheries Section

Public: 1 visitor

The meeting was called to order at 5:08 PM by Acting Chair Hoeffcker

The Subcommittee reviewed the September meeting minutes and the agenda.

Revising the Process for Recreational Shellfish Violations: Chief Aydelotte provided the Subcommittee with Delaware's Code and regulations regarding recreational shellfish. The Subcommittee members discussed several examples of inefficiencies in the current violation process. The Subcommittee agreed that changing the violation structure for recreational crab pots from one violation regardless of how many crab pots over the limit were set by a violator to a tiered violation system in which the violator would still be charged with a single violation for crab pots over the limit, but the severity of the violation would depend on the number of pots over the limit that were being set by the violator. The Subcommittee agreed that the tiered approach, whether based on number of items over the limit, the percentage of items over the limit, or the number of separate violations, was the best way to revise the process for all fish and wildlife violations.

Discuss Revisions to Delaware's Violation Process: Given that new legislation will be necessary, the Subcommittee discussed the changes to the state Code that would be needed to change the violation process and debated whether to try to draft legislation that would change the process for individual violations (e.g. change the violations for over the limit recreational crab pots) or to work on a single piece of legislation that would change all the fish and wildlife violations/fines in the Delaware Code. The Subcommittee agreed that it would be best to try make all the changes to the Delaware Code with a single piece of legislation. The Subcommittee decided that they would build violation process matrix as a start toward a draft of the necessary legislation. Lou Papp volunteered to develop a tiered matrix for recreational shellfish violations.

Agenda Items for Next Meeting: The Subcommittee will discuss the draft tiered violation matrix for recreational shellfish violations and expand the matrix to include other violations.

The next meeting is scheduled to be held on January 5, 2020 at 5 PM in a conference room in DNREC Headquarters.

The meeting adjourned at 6:04 PM.

DRAFT